

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DENNIS ALBA,

Case No. 2:21-cv-00285-KJD-EJY

Petitioner,

v.

ORDER

DANIEL BRIDGES, et al.,

Respondents.

Petitioner Dennis Alba, a federal prisoner, has submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. Petitioner has not filed an application to proceed *in forma pauperis* or paid the filing fee. Accordingly, this matter has not been properly commenced. See 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1, 1-2.

Thus, the present action will be dismissed without prejudice to the filing of a habeas petition pursuant to 28 U.S.C. § 2241 on the form supplied by this court in a **new action** with either the \$5.00 filing fee or a completed application to proceed *in forma pauperis* on the proper form with both an inmate account statement for the past six months and a properly executed financial certificate.

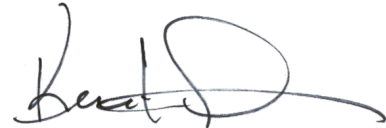
1 IT IS THEREFORE ORDERED that this action is dismissed without prejudice to
2 the filing of a petition in a new action with either the \$5.00 filing fee or a properly
3 completed application form to proceed *in forma pauperis*.

4 IT IS FURTHER ORDERED that a certificate of appealability is denied, as jurists
5 of reason would not find the court's dismissal of this improperly commenced action
6 without prejudice to be debatable or incorrect.

7 IT IS FURTHER ORDERED that the Clerk shall send petitioner two copies each
8 of an application form to proceed *in forma pauperis* for incarcerated persons and a
9 Section 2241 habeas petition form, one copy of the instructions for each form, and a
10 copy of the papers that he submitted in this action.

11 IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and
12 close this case.

13 DATED THIS ⁸ day of March, 2021.



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16 UNITED STATES DISTRICT JUDGE
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